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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/711,567	09/24/2004	Chen Ou	KYCP0029USA	5566	
27765. 7590 07/27/2007 NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506			EXAMINER		
			GRAYBILL, DAVID E		
MERRIFIELD	TELD, VA 22116 ART UNIT PAPER NUMBE		PAPER NUMBER		
			2822		
			NOTIFICATION DATE	DELIVERY MODE	
	•		07/27/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

winstonhsu.uspto@gmail.com Patent.admin.uspto.Rcv@naipo.com mis.ap.uspto@naipo.com.tw

		Application No.	Applicant(s)		
Office Action Summary		10/711,567	OU ET AL.		
		Examiner	Art Unit		
		David E. Graybill	2822		
eriod fo	The MAILING DATE of this communication app or Reply	ears on the cover sheet with the	correspondence address		
WHIC - Exter after - If NO - Failu Any r	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DATE in a sions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. Period for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute, eply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATIO 36(a). In no event, however, may a reply be ti vill apply and will expire SIX (6) MONTHS fror , cause the application to become ABANDON	N. imely filed in the mailing date of this communication. ED (35 U.S.C. § 133).		
itatus					
1) 🂢	Responsive to communication(s) filed on 10 Ja	anuary 2007.			
		action is non-final.			
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is				
	closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 4	53 O.G. 213.		
ispositi	on of Claims				
5)□ 6)⊠	Claim(s) <u>1-8</u> is/are pending in the application. 4a) Of the above claim(s) is/are withdraw Claim(s) is/are allowed. Claim(s) <u>1-8</u> is/are rejected. Claim(s) is/are objected to. Claim(s) are subject to restriction and/or				
pplicati	on Papers				
10)⊠	The specification is objected to by the Examine The drawing(s) filed on <u>24 September 2004</u> is/a Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct The oath or declaration is objected to by the Ex	are: a) \square accepted or b) \boxtimes objed drawing(s) be held in abeyance. So ion is required if the drawing(s) is of	ee 37 CFR 1.85(a). bjected to. See 37 CFR 1.121(d).		
riority u	ınder 35 U.S.C. § 119				
a)[Acknowledgment is made of a claim for foreign All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priority application from the International Bureausee the attached detailed Office action for a list	s have been received. s have been received in Applica rity documents have been receiv u (PCT Rule 17.2(a)).	tion No ved in this National Stage		
\ttachment	• •	_			
2) ☐ Notic 3) ⊠ Inforr	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO/SB/08) r No(s)/Mail Date <u>3 pages</u> .	4) Interview Summar Paper No(s)/Mail [5) Notice of Informal 6) Other:	Date		

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Applicant's election without traverse of claims 1-8 in the reply filed on 7-21-6 is acknowledged.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the features of claims 1-8 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

The drawings are objected to as failing to comply with 37

CFR 1.84(p)(5) because FIG. 1 does not include the reference signs 121 and 122 mentioned in the description.

Figure 4 should be designated by a legend such as --Prior Art--because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the

application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The disclosure is objected to because of the following informalities:

At paragraphs 17 and 18, the term "TMA1" appears to be incorrect.

Appropriate correction is required.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject

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matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Lai (20040261693) and Ishibashi (5923950).

In the abstract, paragraphs 19, 21, 22, and claims 6, 7, 9 and 10, Lai discloses all of the essential elements of claims 1-8 except Lai does not appear to explicitly disclose introducing the reaction sources into a chamber.

Nonetheless, at column 7, lines 22-21; and column 7, lines 35-48, Ishibashi discloses introducing reaction sources into a chamber "furnace." Moreover, it would have been obvious to combine this disclosure of Ishibashi with the disclosure of Lai because it would facilitate the process of Lai.

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The art made of record and not applied to the rejection is considered pertinent to applicant's disclosure. It is cited primarily to show inventions relevant to the examination of the instant invention.

For information on the status of this application applicant should check PAIR: Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alternatively, applicant may contact the File Information Unit at (703) 308-2733. Telephone status inquiries should not be directed to the examiner. See MPEP 1730VIC, MPEP 203.08 and MPEP 102.

Any other telephone inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Graybill at (571) 272-1930. Regular office hours: Monday through Friday, 8:30 a.m. to 6:00 p.m.

The fax phone number for group 2800 is (571) 273-8300.

David E. Graybill Primary Examiner Art Unit 2822

D.G. 20-Jul-07